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OGC 82-04562

10 May 1982

MEMORANDUM FOR: Chairman, PRB
C/DDO/IMS

FROM:
Office of General Counsel

SUBJECT: Amended Response to Paragraphs 4
and 5 of the Boland Letter

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1. In light of comments I received from both of you, I suggest that my original response be amended as follows.

Question 4: The Agency is not involved in writing books or articles for "domestic readership." The only involvement the Agency has in this area is the review of books or articles on intelligence or intelligence-related matters which are written by former employees. This review is mandated by the provisions of the secrecy agreement which each Agency employee signs prior to his entry on duty. The purpose of this review is to assist the author in removing any classified information from the book or article. The Agency's right to conduct such reviews was upheld in the case of Snepp v. United States, 447 U.S. 507 (1979).

In the course of dealing with authors, the Agency, on occasion, will provide an author with suggested language in regard to a particular manuscript which, it believes, will make the point the author wishes to make while, at the same time, avoids the revelation of classified information. While this may be of help to the author, it is also of assistance to the Agency in that it provides for expeditious resolution of the matter while protecting the classified information in question. While we do not believe that this is what you had in mind when you referred to "assistance," we thought that we would bring it to your attention for the sake of completeness.

Let me also note that in reviewing manuscripts, the Agency makes a point to inform the author that its review is solely for the purpose of assisting the author to remove classified information and does not authenticate any statements made in the submission. Indeed, the Agency recommends that each author use the following disclaimer statement:

In connection with all manuscript reviews, the Board makes it a point to inform all authors that their manuscripts have been reviewed by the CIA to assist the authors in eliminating classified information; however, that review neither constitutes CIA authentication of factual material nor implies CIA endorsement of the authors' views.

2. I would appreciate your comments.

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cc: D/GC
C/ILD/OGC
ILD/OGC
OEXA/LLD

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